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PREPARING THE AGENDA FOR COUNCIL MEETINGS

What is the purpose of an agenda, what is its content, and how is it prepared?

The council agenda is a prearranged outline for the conduct of regular city council meetings. Setting forth the order of business for councilmanic consideration and decision, it is an indispensable tool for the orderly conduct of the council meeting. The agenda also is an aid in establishing good relations between the council and the public for a smoothly conducted council meeting helps assure the citizenry of the competence of their city officials.

It is the purpose of this report to review the practices of selected cities in the preparation of the council meeting agenda and to suggest procedures, based upon their collective experience, which will facilitate the preparation and use of the agenda. Most of the material for this report was supplied by the 24 cities listed at the end of this report. Additional information was procured from other selected cities. This report supersedes MIS report No. 46, *Preparing the Agenda for Council Meetings*, issued in December, 1947.

Content of the Agenda

The agenda is composed of two groups of items: (1) the procedural items, and (2) those items whose content changes from meeting to meeting. Procedural items include the invocation, the roll call, and the reading and approval of the minutes of the last meeting. The bulk of the agenda and the most important part is composed of reports from the city manager and other city officials: communications from citizens, labor groups, civic associations, and others; hearings on zoning changes, special assessments, and other matters; and consideration of resolutions, ordinances, and other actions.

The Order of Business. The form of the agenda or the order in which business is to be considered may be prescribed by ordinance or by city council rules. In some cities there is no established form. Of the 23 cities reporting, approximately one-half reported having no established form, five have a form prescribed by city council rules, three by ordinance or resolution, and in two cities the order of business is established by long custom and practice. Two cities reported that they prepared no agenda.

The rules of the Los Angeles city council refer to the preparation of the agenda in two places. Rule 14 prescribing the order of business provides:

"The business of regular meetings of the Council shall be transacted as far as practicable in the following order:

1. Roll call of members.
2. Reading and approval of minutes.
3. Presentation of petitions and communications.
4. Messages and papers from the Mayor.
5. Communications from officers and Boards.
6. Reports of Standing Committees — except Specials.
7. Introduction and first reading of Ordinances.
8. Set for Hearings.

9. Second reading of Ordinances.
10. Continued Hearing on Ordinances.
11. Committee reports — Specials called.
12. Reports of Special Committees.
13. Resolutions and motions.
14. General orders.
15. Announcement of Committee meetings.
16. Adjournment.

"It being understood that matters set for hearing shall be taken up at the hour set or as soon thereafter as possible."

Rule 38 establishing the duties of the city clerk provides:

"He shall prepare and cause to be printed for each meeting a list in detail of all matters ready for consideration at such meeting; said list shall be known as the Calendar and shall include all messages and papers from the Mayor, communications from other officers and Boards, petitions and communications, reports of special committees, reports of standing committees, and resolutions and ordinances, and any other matters which have been presented to the Council and which remain undetermined. In case any matters on the Calendar of a particular meeting are not acted upon, they shall be continued upon the Calendar of the next meeting and of each succeeding meeting in their order of introduction until finally disposed of."

An example of a less detailed agenda is that for Neenah, Wisconsin, whose order of business is prescribed by city council rule number 3:

"The order of business shall be as follows:

- I. Roll call.
- II. Approval of proceedings of previous meetings as printed.
- III. Presentation of petitions, memorials and accounts.
- IV. Reports of standing committees and consideration thereof.
- V. Reports of special committees and consideration thereof.
- VI. Presentation of ordinances and resolutions and consideration thereof.
- VII. Consideration of Unfinished and Miscellaneous Business."

The agenda form for Palo Alto, California, is governed by an ordinance which provides that the prescribed order of business cannot be departed from except by the consent of a majority of the council. The order of business in Palo Alto is:

- "1. Roll Call.
2. Approval and Correction of Minutes.
3. Special Orders of the Day.
4. Communications (Written).
5. Report of City Manager.
6. Reports of Boards, Commissions and Committees.
7. Resolutions and Ordinances.
8. Reports of Officials.
9. Accounts.
10. New Business.
11. Adjournment."

The above three orders of business present the most common groups of items presented to the city council. Other headings included in agendas of one or more reporting cities include invocation; oral communications; appropriations, protests, and petitions; opening of bids; and paying warrants.

The Agenda Form. The physical format of the written agenda depends in part upon the size of the city, the number of copies to be distributed, and the groups who receive the agenda. It may be typed, duplicated, or printed. Those cities governed by council rules, ordinance, or established procedure in the preparation of the agenda apparently are more prone to group items and list them

under a common heading. Separate petitions are grouped under the heading, Petitions; reports, Reports from City Manager or Committee Reports; ordinances, Ordinances; and so on.

Items on the agenda often are briefed or summarized for easy reference and consideration by council members. Communications usually are briefed according to the name of the communicant and the subject matter; committee reports are summarized or in some cases confined to the reporting of the recommendations; ordinances are described according to number and title; hearings are described by subject matter; and reports from the city manager and other city officials are summarized according to subject matter. Some examples of briefed items follow:

Communications (Los Angeles, California)

75779 - From Arthur B. Ross, et al., petitioning for installation of electrolier lighting system, and furnishing of current and maintenance to the Federal Avenue and Clarkson Road Lighting District.

Committee Reports (Palo Alto, California)

Committee No. 2 recommends adoption of the Traffic Code, Article 19 of Codified Ordinance No. 5, with an amendment prohibiting the riding of bicycles on sidewalks in the business district, and an amendment relative to fees for loading zone hoods on parking meters.

First Readings, Introduction of Ordinance Bills (Salem, Oregon)

Ordinance Bill No. 6946, levying an assessment in the sum of \$2,197.99 for the improvement of Woodland Drive from the south line of Rockland Drive to the north line of Eola Drive.

Hearings (Hartford, Connecticut)

The time period in which Council may act on ordinances affecting zoning.

From the City Manager (Saginaw, Michigan)

2. Recommending that the contract with L. W. Wells Construction Company for the construction of water mains be extended to include the construction of water mains in Barnard Street from Throop to North Bates and in North Bates Street from Miller to Barnard. The total estimated cost is \$3,435.

Two cities (Neenah, Wisconsin, and Fort Smith, Arkansas) reported that council meetings are conducted without a written agenda. In both cities, however, council meetings are conducted according to an established order of business or procedure. Neenah follows the order of business prescribed by council rules as stated above. Fort Smith's agenda is composed of (1) roll call, (2) minutes, (3) appropriations resolutions, and (4) the remaining council business which is determined by the order of receipt in the city clerk's office of communications, reports, ordinances, and other items.

Supporting Reports. Several cities distribute supporting reports with the agenda. These include city manager and departmental reports, financial reports, copies of certain communications, and copies of ordinances and resolutions. The furnishing of copies of reports and communications of more than routine importance aids the councilman in the analysis of a matter on which he must register his decision. A complicated report or communication is more easily understood when a councilman has a copy to read than when he must rely only on an oral transmittal.

Only reports and communications of significance should be attached to the agenda. It is unfair to burden the councilman with reproductions of communications and other data of minor importance. Indiscriminate attachment of supporting reports will only confuse the councilman as to the relative importance of each and may encourage him to ignore all supplementary material.

Elgin, Illinois, is among the cities that issue selected supplementary documents with the agenda. Each document attached to the agenda is cross-referenced to the agenda by a number which designates the type of business and by a letter for the item of business.

Four documents, for example, were attached and cross-referenced to the agenda for a recent council meeting in Elgin. Under group (7), Unfinished Business, item e dealt with applications for

service connections to a sewer which was constructed and installed by a subdivider at his own expense. This item is supported by a report from the city attorney on the legality of the matter and by a letter from the counselors representing the subdivider who had borne the cost of the sewer installation. Within group (8), City Manager's Report, item b is supported by a report on the work of the parking meter department, item c by a report on the police training program, and item d by a report upon the content of the city's basic police officer training program.

Who Prepares The Agenda?

Under the mayor-council form of city government, the compilation of the agenda has traditionally been the function of the clerk of council. In most cities that have changed to the council-manager plan, the clerk has retained the job of transmitting the agenda to the council members, with more or less control over its content. Requests, recommendations, and reports of department heads to council usually pass over the manager's desk before inclusion in the agenda. Communications, petitions, and complaints from citizens, civic groups, and other governmental agencies are received both by the city clerk and the manager.

It makes little difference which officer performs the secretarial work of compiling and sending the agenda to councilmen or of assembling the list of routing details which require formal action by the council. It is essential, however, for the city manager to collaborate with the clerk in the preparation of the agenda and to review the agenda before its final compilation. In this way the manager can select in order of priority a list of the more important matters to be discussed in council. He also can review the communications that are scheduled to come before council and be prepared to answer or make recommendations in their regard.

Closing The Agenda

The deadlines for the submission of material to be included in the agenda vary from two hours to four or more days preceding the council meeting. Cities having no formal cutoff date for the receipt of communications accept them up to and during the preparation of the agenda.

Emergency items are included on the agenda in more than one-half of the cities surveyed. Several of the cities reporting that emergency items are not included on the agenda note that such items may be introduced from the floor. In Hartford, Connecticut, the cutoff date for the receipt of communications is at noon on the Thursday preceding the Monday council meeting. If communications are submitted between the cutoff time, Thursday noon, and Monday noon, a majority vote of council to suspend the rules is necessary for the consideration of such matters. If, however, a matter is submitted after Monday noon, a unanimous vote of council is required before such matters can be considered. In Pontiac, Michigan, communications submitted subsequent to the deadline can be considered only upon full consent of the council members present. Saginaw, Michigan, and Salem, Oregon, handle emergency items by issuing supplements to the agenda prior to the council meeting.

Distribution of the Agenda

The distribution of the agenda to city councilmen ranges from immediately prior to four days before the council meeting. The most frequent time period reported is one day before the meeting. The more common methods of distribution are by mail and by messenger. In a few cities councilmen pick up the agenda; and in the cities using unwritten agendas, the business is transmitted orally to councilmen.

Of the 18 cities preparing written agendas, 15 make copies available to the newspapers and 11 send copies to all or some department heads. Eight cities distribute agendas to citizens attending council meetings, four to radio stations, and three to chambers of commerce, governmental research bureaus, and other civic organizations. Three cities send agendas to any citizen or group upon request. Maumee, Ohio, follows the practice of posting the agenda on the bulletin board in the council chambers.

Hearings and Oral Communications

The scheduling of citizen participation in council meetings is handled in various ways by the reporting cities. Several cities include in their agenda a section for hearings and protests. Citizens are allowed to speak on the specific matters listed for hearing and on no matter other than those listed. These hearings may include matters relating to zoning, annexation, noise control, and other topics.

Another section devoted to citizen participation is usually designated as oral communications or personal appearances. In this period the citizen may speak upon any matter of city business on the agenda or in some cities on any matter of city business whether on or off the agenda. Still another method of citizen participation is the recognition of the citizen at any time throughout the council proceedings.

The majority of the reporting cities recognize citizen participation in one or a combination of the described methods. Of the cities questioned, the following practices were reported:

1. Five of the reporting cities have no portion of the agenda reserved for hearings and protests or for oral communications.
2. In four cities oral communications are recognized throughout the council proceedings. In Maumee, Ohio, oral communications are not permitted.
3. Four cities devote portions of their agendas to hearings and protests and oral communications and in addition recognize citizens throughout the council proceedings.
4. Four cities devote portions of their agendas to hearings and protests and oral communications.
5. Three cities have a category for hearings and allow oral communications throughout the meeting.
6. One city has a category for oral communications and in addition recognizes additional communications throughout the council meeting.

Berkeley, California, includes a section for hearings in its agenda. Although a formal section is not designated for oral communications, it is the practice of the mayor to ask if anyone wishes to address council at the end of each council meeting. Saginaw, Michigan, requires that the citizen register with the clerk of council before addressing council. Only if this qualification has been complied with is there a section segregated for oral communications. In Hartford, Connecticut, unless a hearing is held, spectators do not participate without council permission.

The practice of the cities varies in regard to the timing of citizen participation. The majority of those cities that allocate a specific section of the council meeting to hearings and protests place this grouping after the procedural items on the agenda. Examples of cities that hold hearings and protests shortly after the approval of the minutes are Hartford, Connecticut; Berkeley, and Palo Alto, California; and Neenah, Wisconsin. San Jose, California, schedules its council meeting to begin at 7:00 p.m. and schedules its public hearings at 8:00 p.m. to follow the consideration of ordinances and the reports and recommendations of city committees and officials.

Those cities which place oral communications on their agenda, either in addition to hearings or as the only inclusion of citizen participation, most often place this category at the end of the agenda just prior to adjournment. This practice is followed in San Jose and Berkeley, California, and Elgin, Illinois.

Several cities encourage orderly citizen participation by explaining procedures for addressing council in brochures distributed to citizens attending council meetings. A typical example is afforded by Vallejo, California, in a recently issued folder, *Your City Council Welcomes You*:

"At regular meetings and hearings, Vallejo residents are urged to come forward to the rostrum and give their names and addresses. Participants are urged to speak only on the subject under discussion as listed on the Agenda. The Mayor will call for comments on any matter at the conclusion of each regular meeting.

"Experience shows that many matters could have been handled faster if they had been taken up directly with the department concerned, rather than at council meetings...."

Conclusions

The agenda should have a format. The written, intelligible agenda is an integral part of administrative-council-public relations. The agenda is a flexible form which of necessity varies from city to city and from council meeting to council meeting. It is a form prescribed by council rules, ordinance, or administrative procedure which functions not as a rigid requirement but as a comprehensive outline.

Small cities may be guided by an agenda that is a mixture of topical headings and individual items. Larger cities because of the volume and complexity of business discussed in council meetings need a more comprehensive method for presenting the business to be conducted. Topical headings are necessary to separate the major forms of business among the plethora of items.

The basic purposes of the agenda are the same for the large or the small city. Councilmen should be informed by written memorandum of the items for their consideration. Oral communication of the business to be discussed places undue responsibility upon the clerk before the meeting in informing the individual council members of the council agenda and during the meeting in relating the business at hand. Oral presentation of the agenda also places unfair demands upon the councilman's memory. Furthermore a written outline facilitates the proper allocation of time to each item on the agenda. With the schedule of business constantly before them, members of council are less likely to bog down on items at the beginning of the agenda and to rush consideration of later items.

In summation, written notation of the order in which items are to be discussed aids the orderly and efficient conduct of the council meeting, improves rapport between the council and the administration, and assures citizen participants and spectators that their city is being governed by coherent liaison between the council and the administration.

The chief administrator should prepare the agenda. The importance of the agenda as a tool of management is demonstrated by the fact that some cities include the preparation of the agenda as one of the duties of the manager. This does not necessarily mean that the manager must physically compile the items that are to appear in the agenda, but certainly he should review items to be included before the final draft of the agenda is typed. This will enable him to gather any material necessary for reply to communications and will afford him opportunity for the exercise of discretion as to whether an item should be referred to administrative rather than to legislative attention. The manager in close surveillance of the preparation of the agenda is able within the established format to give priority positions to important items.

The agenda should have a uniform closing date and time. For the orderly preparation of the agenda there should be a definite known deadline for the receipt of communications and the submission of departmental and committee reports and recommendations. If a deadline is set, known, and adhered to, there will be no question of the treatment of last-minute communications. Items received subsequent to the deadline will be held over to be included on the next meeting's agenda unless included by majority vote of the council.

The time of the deadline will vary from city to city and depends upon such factors as the complexity of city business, the frequency of council meetings, and the methods of agenda distribution. The deadline, however, should be far enough in advance of the council meeting to afford sufficient time for agenda preparation and distribution.

Provision should be made for emergency matters. Some items received after the deadline for communications will be emergency matters that necessitate the immediate attention of council. Insertion of emergency matters on the agenda or the last minute preparation of the agenda so as to include emergency matters often causes confusion. A definite procedure should be followed in the handling of these matters.

If the agenda is prepared and distributed well in advance of council meeting, it is likely that

the incidence of emergency matters will be frequent. In such a case it would seem desirable to issue a supplement to the agenda to include emergency items. If the council is small and the agenda is distributed just prior to the council meeting, the clerk is able to easily insert emergency matters, or it may be practical for the presiding officer to call attention to an emergency matter during the appropriate time in the council proceedings. It may be a provision of council rules that the majority vote of council is necessary to deem a matter not listed on the agenda as an emergency and allow it to be discussed.

The agenda should be distributed to all who have use for it. The agenda should be available to all who wish to make reference to it. The agenda is the program for a council meeting, and the council meeting is the setting for deliberation and decisions of public policy. This program should be available for newspaper, group, and citizen reference. A city can gauge the demand for agendas for a particular meeting according to the number of items of public interest included. If a city is limited as to the number of copies of the agenda that can be made available to persons other than councilmen, the agenda may be posted in an appropriate place and thus be available to all interested parties.

Provision should be made for hearings and oral communications. Citizen interest and participation in a council meeting may mean complaints and criticism of the legislative and administrative functioning of city government. These criticisms, however, become more querulous when the spectator must sit through council proceedings of little interest until it is time to speak his piece.

Cities should assign a specific portion of council meetings to hearings and oral communications. The careful development of procedures for handling citizen participation and the careful scheduling of items of citizen interest are preferable to the chaotic practice of recognizing citizens throughout council proceedings. Depending upon the particular city, it may be well to give the citizen his hearing after the procedural items in the agenda and allow him to depart, or it may be best to schedule citizen appearances and communications at the end of the agenda. In either case the specific placement for citizen participation in the agenda serves as a rough timetable for the citizen. A designated hour for hearings and for the opening of bids, if possible, particularly aids the citizen.

The practice of some cities of having the citizen register with the city clerk before appearing at a council meeting encourages a still more orderly procedure for the conduct of the council meeting. It aids the council member to have the name of the participant, the organization or group (if any) that he represents, and the subject of his communication. Moreover, it assures the participant of a council attentive to what he is saying rather than to finding out who he is. Several city councils have issued "introductions to city councils" stating the procedures that a citizen should follow in addressing council. In other cities the clerk of council explains these procedures orally at the council meeting.

Note: Grateful acknowledgement is made to the city managers or city clerks of the following cities who furnished information for this MIS report: Fort Smith, Arkansas; Berkeley, Los Angeles, Palo Alto, and San Jose, California; Fort Collins, Colorado; Hartford, Connecticut; Orlando, Florida; Elgin, Illinois; Munster, Indiana; Franklin and Plaquemine, Louisiana; Lewiston, Maine; Pontiac and Saginaw, Michigan; Kearney, Nebraska; Patchogue, New York; Maumee and Middletown, Ohio; Oklahoma City, Oklahoma; Salem, Oregon; Dallas, Texas; and Neenah and Superior, Wisconsin.

